

MINUTES

SPECIAL MEETING

PROPERTY AND RIGHT-OF-WAY COMMITTEE MEETING TUESDAY, APRIL 5, 2005 10:30 A.M. CITY HALL 4TH FLOOR – LARGE CONFERENCE ROOM

Members Present:

Peter R. Partington, Acting City Engineer
Stephen Scott, Assistant City Manager
Bob Dunckel, Assistant City Attorney
Tony Irvine, City Surveyor
Jimmy Koeth, Principal Planner
Greg Thornburgh, PBS & Collections Manager
Carol Ingold, Parks Supervisor
Tom Terrell, Maintenance Manager

Staff Present:

Victor Volpi, Senior Real Estate Officer
Maureen Barnes, Administrative Assistant I
John Hoelzle, Director of Parking and Fleet Services
Bruce Larkin,
MaryAnn Slough, Recreation Program Coordinator
Eileen Furedi, Clerk II
Rafeela Persaud, Word Processing Secretary

Guests Present:

Bob Bekoff
Scott Backman
Robert Lochrie
Jeff Falkanger

Peter Partington called the meeting at 10:35 A.M. and stated that this is a Committee with the responsibility of advising the City Commission on matters connected with City property.

ITEM ONE: LICENSE TO TEMPORARILY PARK TRAILERS UNDER THE 17TH STREET CAUSEWAY BRIDGE

Address or General Location: 1850 SE 17 Street

Victor Volpi introduced item stating that the City of Fort Lauderdale has a lease with FDOT to use the State right-of-way under the 17th Street Causeway Bridge for parking. He said that the Water Taxi/Water Bus would like a positive recommendation to allow them to set up temporary office and storage trailers in this parking lot, and eventually would like to enter into an agreement with the City to

construct docks and place all of their boat inventory under both sides of the bridge between the concrete columns and each shore, as well as, eventually, they will construct a permanent office and storage space in the parking lot on the west side. He said that they intend to lease the parking spaces necessary for the successful operation of their business for as long as they remain there.

Jeff Falkanger, Architect stated that they are requesting a temporary waterbus terminal and to have their boats docked on the east and west sides of the 17th Street bridge. Mr. Falkanger stated that the waterbus lease at the Bahia Mar will be expired on April 30, 2005 which would not be renewed and they need a place to park the boats. Mr. Falkanger said that there was a total of 16 boats and over the last 12-month period, there was 750,000 boat reportees.

Robert Lochrie said that they have been working on this item for approximately 2 years now; looking at different sites for the boats and the 17th Street location was identified as a location that would work. Mr. Falkanger stated that the waterbus is part of the public transit system. Mr. Falkanger stated that they had currently secured a permit from FDOT to park the boats under the bridge and was now in search of a place for crew operations.

Peter Partington said that the City has a lease with FDOT for parking, access and park like atmosphere. Bob Dunckel said that the document with the lease rights was entitled air space agreement and included the full width of the right-of-way.

Bob Dunckel asked about the ticket functions. Mr. Bekoff explained the differences in the plans and spaces that would operate effectively.

Mr. Falkanger asked about a license agreement before going to the Board of Adjustment. Bob Dunckel said that the revocable license agreement would include the riparian rights that go along with the upland use, the marina and provisions that would compensate for the parking.

Stephen Scott asked the about the procedures following the outcome of the PROW meeting. Bob Dunckel explained that the revocable license agreement would be on the April 19th Commission agenda for execution, and would then go before the Board of Adjustment via a special meeting who has the power to grant a temporary non-conforming use permit for a period of 12-months.

Discussion followed as to the actions of the Board of Adjustment, the upland activities, zoning issues, any revenue transfer, security, obtaining plumbing and electrical permits, no restrictions for the observation parks on either side, parking spaces for employees, allowing 30 permits on each side at \$68.90 per month, fueling of vessels, maintenance, amending policy to adjust times of operation, trash removal off the boats, any possible loss of revenue in renting out the pavilions and to re-negotiate license agreement if necessary, and FDOT leasing to the City submerged lands in which the barges would be moored.

John Hoelzle explained that the patrons for the pavilions would be using the A lots which has 33 parking spaces plus 2 handicapped spaces on the west side and 47 spaces plus 4 handicapped spaces on the east side. He stated that this would be a learning curve for a lot of people using the parking spaces on different occasions.

Bob Dunckel explained that the revocable license agreement was only to use City land and the applicant would still need to apply for all permits.

MOTION BY BOB DUNCKEL TO RECOMMEND THE GRANTING OF A REVOCABLE LICENSE AGREEMENT TO WATER TAXI, INC., THAT WOULD INCLUDE ANY UPLAND ACTIVITIES, AS WELL AS THE CITY RIPARIAN RIGHTS SO THAT THEY CAN ESTABLISH MARINA OPERATIONS SUBJECT TO THE OTHER ZONING APPROVALS; APPROPRIATE PROVISIONS BE MADE FOR 16 SPACES, BOTH EAST AND WEST SIDES OF THE BRIDGE; MAJOR REPAIRS BE PROHIBITED AND ONLY MINOR "GET READY" REPAIRS BE PERMITTED, EXTENDING THE HOURS OF OPERATIONS TO 1:30 A.M., 2:00 A.M. ON NEW YEAR'S EVE; SECURITY GATES, INDEMNIFICATION AND INSURANCE REQUIREMENTS; NO SEWAGE HOOKUP, NO PUMP OUT ON PREMISES; AN OFF-SITE TRASH DISPOSABLE PROGRAM, AND A NEED FOR A HURRICANE PLAN. SECONDED BY TONY IRVINE.

Discussion followed as to fueling under the bridge, no storage on land, safety issues, approval from the Marine Advisory Board, revoking the license agreement if necessary, reflectorized tapes on the pilings.

Bob Dunckel stated that he would vote against this item due to it not being the right location. He said that this would be the wrong activity in this particular place. He stated that if item failed, he was prepared to make a motion for reconsideration to argue for passage.

Stephen Scott stated that this would be a temporary matter and for the purposes right now, it would not be feasible to shut down the water taxi and would therefore vote in favor of the applicant. Tony Irvine said that he was prepared to vote against this item because of the upland improvements, but would now vote positive due to a revocable license being issued.

Yeas: Peter Partington, Stephen Scott, Greg Thornburg, Tom Terrell, Tony Irvine
Nays: Bob Dunckel, Jimmy Koeth, Carol Ingold

MOTION PASSED.

Bob Dunckel stated that from the motion, fueling was not prohibited. He stated that he would like to address fueling separately.

Discussion followed regarding the fueling, where there would be a 1,000 gallon tank behind a pick up truck, having the same type of precautions as a fuel pump, fueling done on the Riverwalk, determining the hours of fueling.

Bob Dunckel suggested for the City Manager to modify the hours of fueling.

MOTION AMENDED BY PETER PARTINGTON TO PROHIBIT ANY FUELING. SECONDED BY TONY IRVINE.

Peter Partington stated that the above motion would amend the first motion in prohibiting any fueling stating that it would be incompatible with land use.

Tony Irvine said that fueling would not be an objectionable activity and would rather restrict the hours of fueling. Bob Dunckel asked the average time for fueling of the boats. Mr. Bekoff said that it would be approximately one hour to one and a half hour.

MOTION FAILED UNANIMOUSLY.

MOTION AMENDED BY STEPHEN SCOTT TO ALLOW FUELING TO BE COMPLETED BETWEEN THE HOURS OF 6:00 A.M. AND 7:30 A.M., LIMITING TO BIO DIESEL FUEL. SECONDED BY TOM TERRELL.

Jimmy Koeth clarified his vote was for the temporary use approval and that his vote would not necessarily indicate that the Planning and Zoning Department would support the permanent use at this location. He stated that assessment would occur at which time the applicant would provide an application and all of the necessary backup information to support this application to the Department, which would then be reviewed in order to make an informed assessment and process the application through the relevant reviews. Peter Partington explained that he did vote against the item initially but the item passed anyway.

MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 11:52 A.M.